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IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13164 of 2005

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Shiv Mohan Rai Saxena, S/O Late Ramjee Rai Saxena, resident of Diwan Mohalla, Tarni Prasad Lane, Patna City, Patna

.... Petitioner

Versus

1. The State of Bihar
2. The Secretary, Department of Animal Husbandry and Fisheries, Govt. of Bihar
3. The Commissioner, Department of Finance, Govt. of Bihar
4. The Accountant General, Bihar, Patna
5. The Dy. Secretary (Dairy Development) Dept. of Animal Husbandry & Fisheries, Govt. of Bihar

.... Respondents

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Appearance :
For the Petitioner : Mr. Tuhin Shankar

For the Respondents : Mr. R.S. Singh, AC to AAG -15
For the Accountant General :Mr. Sanjay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

3 11-05-2012 Heard learned counsel for the petitioner, the State and the Accountant General.

2. Petitioner superannuated while serving as Member of the Bihar Animal Husbandry (Dairy Development) Class –II with effect from 31.1.1994. He has filed this writ petition on 18.10.2005 praying, inter alia, to direct the State- respondents to consider his case for grant of Junior Selection Grade Scale Rs. 3000 – 4500/- which was recommended by the Departmental Promotion Committee under proceedings dated 5.10.2004, Annexure-11 for grant of the said scale to the petitioner for the period between 1.4.1988 – 31.1.1994.

3. It is submitted on behalf of the petitioner that notwithstanding the aforesaid recommendation of the Departmental Promotion Committee, petitioner is being not granted arrears of monetary benefit in the scale of Rs. 3000 – 4500/- , which is nothing but arbitrary inaction on the part of the authorities.

4. Having considered the case of the petitioner and having noticed the fact that Departmental Promotion Committee recommended the case of the petitioner and others under Minutes dated 5.10.2004, Annexure-11 for grant of higher scale of Rs. 3000 – 4500/- for the period between 1.4.1988 – 31.1.1994, I direct the State- respondents to consider the case of the petitioner for grant of arrears of the monetary benefit of the said scale for the aforesaid period in accordance with law, as early as possible, in any case within two months from the date of receipt/ production of a copy of this order before the Respondents.

5. The writ petition is, accordingly, disposed of.

(V.N. Sinha, J)

Arjun/-